## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA DANVILLE DIVISION

CHRISTOPHER B. JULIAN and	)
RENEE G. JULIAN,	)
Plaintiffs,	) Civil Action No. 4:13-CV-00054
,	)
v.	)
	)
THOMAS J. VILSACK,	)
SECRETARY OF AGRICULTURE	)
U.S. DEPARTMENT OF AGRICULTURE,	)
	)
Defendant.	)

## **DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

COMES NOW Thomas J. Vilsack, Secretary, United States Department of Agriculture (hereinafter "Defendant"), by counsel, and respectfully moves this Court for summary judgment.

A Memorandum of Law in support of this Motion is being filed contemporaneously.

Respectfully submitted,

TIMOTHY J. HEAPHY United States Attorney

Date: July 16, 2014 /s/ Kartic Padmanabhan

Kartic Padmanabhan

Assistant United States Attorney

Virginia Bar No. 74167

P. O. Box 1709 Roanoke, VA 24008

Phone: (540) 857-2250

Email: kartic.padmanabhan@usdoj.gov

## OF COUNSEL:

Dorian Henriquez-Simons, Attorney United States Department of Agriculture Office of Regional Counsel 1718 Peachtree Road Suite 576 Atlanta, GA 30309

## **CERTIFICATE OF SERVICE**

I hereby certify that on July 16, 2014, I filed the foregoing Defendant's Motion for Summary Judgment using the Court's CM/ECF system, and mailed a true and correct copy thereof by the United States Postal Service to the following non-CM/ECF participants:

Christopher B. Julian Renee G. Julian 474 Orchard View Drive Ararat, VA 24053

/s/ Kartic Padmanabhan
Kartic Padmanabhan
Assistant United States Attorney